

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF GEORGIA  
MACON DIVISION

CAREY A. FORSTON,	:	
	:	
Movant,	:	
	:	Criminal No. 3:96-CR-9(HL)
vs.	:	Civil No. 3:04-CV-119(HL)
	:	
UNITED STATES OF AMERICA,	:	
	:	
	:	
Respondent.	:	

---

O R D E R

Before the Court is Movant's motion to proceed *in forma pauperis* on appeal of this Court's Order accepting the Magistrate Judge's Recommendation that his § 2255 motion be dismissed. Having denied his application for Certificate of Appealability the motion to proceed *in forma pauperis* is hereby **DENIED AS MOOT**.

**SO ORDERED**, this 27<sup>th</sup> day of May, 2005.

s/ Hugh Lawson  
**HUGH LAWSON, JUDGE**

mh